



General Assembly

Substitute Bill No. 54

February Session, 2004

* SB00054LAB__031604__ *

**AN ACT ALLOWING LIMITED STRESS-RELATED BENEFITS UNDER
THE WORKERS' COMPENSATION ACT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (16) of section 31-275 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2004*):

4 (16) (A) "Personal injury" or "injury" includes, in addition to
5 accidental injury [which] that may be definitely located as to the time
6 when and the place where the accident occurred, an injury to an
7 employee [which] that is causally connected with [his] employment
8 and is the direct result of repetitive trauma or repetitive acts incident
9 to such employment, and occupational disease.

10 (B) "Personal injury" or "injury" shall not be construed to include:

11 (i) An injury to an employee [which] that results from [his] the
12 employee's voluntary participation in any activity the major purpose
13 of which is social or recreational, including, but not limited to, athletic
14 events, parties and picnics, whether or not the employer pays some or
15 all of the cost of such activity;

16 (ii) A mental or emotional impairment, unless such impairment
17 arises (I) from a physical injury or occupational disease, (II) from

18 witnessing the death of another employee or a client, provided such
19 death is witnessed while in the course of employment, or (III) in the
20 case of a police officer, from such police officer's use of deadly force or
21 subjection to deadly force in the line of duty, regardless of whether
22 such police officer is physically injured, provided such police officer is
23 the subject of an attempt by another person to cause such police officer
24 serious physical injury or death through the use of deadly force, and
25 such police officer reasonably believes such police officer to be the
26 subject of such an attempt. As used in this clause, "police officer"
27 means a member of the Division of State Police within the Department
28 of Public Safety or an organized local police department, a chief
29 inspector or inspector in the Division of Criminal Justice, a
30 conservation officer or special conservation officer appointed under
31 section 26-5, an appointed constable who performs criminal law
32 enforcement duties, a special police officer appointed under section 29-
33 18, 29-18a, 29-18b, 29-18c or 29-19, an adult probation officer, an
34 employee of the Department of Correction, a member of the Office of
35 State Capitol Police and a member of a special police force established
36 under section 10a-142 or a person providing security services for a
37 public institution of higher education; and "in the line of duty" means
38 any action that a police officer is obligated or authorized by law, rule,
39 regulation or written condition of employment service to perform, or
40 for which the police officer is compensated by the public entity such
41 officer serves;

42 (iii) A mental or emotional impairment [which] that results from a
43 personnel action, including, but not limited to, a transfer, promotion,
44 demotion or termination; or

45 (iv) Notwithstanding the provisions of [clause (i) of this]
46 subparagraph (B)(i) of this subdivision, "personal injury" or "injury"
47 includes injuries to employees of local or regional boards of education
48 resulting from participation in a school-sponsored activity but does not
49 include any injury incurred while going to or from such activity. As
50 used in this clause, "school-sponsored activity" means any activity
51 sponsored, recognized or authorized by a board of education and

52 includes activities conducted on or off school property and
53 "participation" means acting as a chaperone, advisor, supervisor or
54 instructor at the request of an administrator with supervisory
55 authority over the employee.

56 Sec. 2. (NEW) (*Effective October 1, 2004*) Notwithstanding any
57 provision of chapter 568 of the general statutes, workers' compensation
58 benefits for (1) any employee who suffers a mental or emotional
59 impairment arising from witnessing the death of another employee or
60 a client, or (2) any police officer, as defined in subparagraph (B) (ii) of
61 subdivision (16) of section 31-275 of the general statutes, as amended
62 by this act, who suffers a mental or emotional impairment arising from
63 such police officer's use of deadly force or subjection to deadly force in
64 the line of duty, shall be limited to treatment by a psychologist or a
65 psychiatrist who is on the approved list of practicing physicians
66 established by the chairperson of the Workers' Compensation
67 Commission pursuant to section 31-280 of the general statutes.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>

LAB *Joint Favorable Subst.*